

Pursuant to Article 12 of the Broadcasting Law ("Official Gazette of the RS" nos. 42/02, 97/04, 76/05, 79/05-other law, 62/06 and 85/06) the Council of the Republic Broadcasting Agency hereby passes the following

**GENERAL BINDING INSTRUCTIONS
TO RADIO AND TELEVISION STATIONS (BROADCASTERS)
ON CONDUCT IN PRE-ELECTION CAMPAIGN FOR 2008 LOCAL, PROVINCIAL
AND REPUBLIC PARLIAMENTARY ELECTIONS**

***I. INSTRUCTIONS TO ALL RADIO AND TELEVISION STATIONS
(BROADCASTERS)***

1. All radio and television stations, pursuant to Article 5 of the Law on the Election of Members of Parliament and Article 4, paragraph 2, of the Law on Local Election shall "ensure equality in informing about all the parties submitting the lists of candidates and the candidates from these lists." Any violation of this provision of the Law on the Election of Members of Parliament and the Law on Local Election shall also present a violation of these Instructions and, by that very fact, pursuant to Articles 12, 17 and 18 of the Broadcasting Law, a violation of the Broadcasting Law, which shall entail a pronouncement of appropriate measures

2. All pre-election broadcasts, reports, promotion blocks, polls and similar, in which election participants or members and representatives of the political parties, coalitions and associations of citizens participating in the elections, must be specially designated with a clear sign "pre-election programme", while in the radio programme they must be clearly indicated at the beginning and at the end of the broadcast, as well as after each 5 minutes of broadcast duration. Television broadcasts with pre-election contents in which representatives of the lists of candidates appear must be designated with a continuous sign "pre-election programme", regardless of whether the broadcasts are special or regular.

3. The reports on pre-election activities of candidates from valid lists in daily news and special broadcasts should also be based on the principles of objectivity, equality and protection of public interest and equally accessible to all ethnic communities in the area covered by the broadcaster's programme. Only the competent electoral commissions are authorised to announce official information about the election process and results. All other information must be designated as unofficial.

4. Paid broadcast time must be announced and signed off as pre-election programme and designated in the TV programme with a continuous sign "paid broadcast time" while in the radio programme they must be clearly indicated at the beginning and at the end of the broadcast, as well as after each 5 minutes of broadcast duration. No material change in the basic programme concept with the aim of creating additional programme space for paid promotions shall be allowed. In that regard, broadcasting paid political promotions instead of regular daily or weekly broadcasts such as news, political magazines, interview broadcasts and similar shall not be allowed

5. The reports of agencies that conduct public opinion polls may be broadcast under the condition of stating the party that commissioned the poll, the sample covered by the poll, the

poll manner and duration. The mentioned reports of public opinion polling agencies may not be broadcast in the prime time of news broadcasts (headlines, top stories, news of the day and similar).

6. Street polls, telephone and similar polls may not be deemed representative. In such cases, the broadcaster should warn the audience, because favouring of certain lists and candidates is possible by such polls, thus violating the principle of reporting objectivity.

7. All radio and television stations shall precisely determine in advance in their programme schedule the time for broadcasting pre-election programme, which may not be changed arbitrarily during the campaign.

8. No rebroadcasting of pre-election programmes, direct or indirect, from other broadcasters, shall be allowed except in cases of paid broadcast time.

9. Government authorities and organisations, territorial autonomy and local self-government authorities may, in radio and TV broadcasts, advertise activities and measures of significance for the citizens, for the majority of citizens or for a minority social group and particularly the elections if the promotional message recommends participation in the elections. No name, face, voice or personal trait of any government official of a government authority or organisation, territorial autonomy and local self-government authority may be used in the promotional message.

10. During the election campaign, the broadcasters should exclude from their programme any documentary, feature and similar broadcasts and films in which the candidates from the election lists appear, and avoid other forms of indirect political propaganda in the regular broadcasts..

Announcements of pre-election rallies, meetings (by voice or by scrolling text - "running letters" and similar) may only be broadcast at paid broadcast times.

11. Broadcasters shall be instructed to exclude the journalists and presenters included in the lists of candidates from appearing in their programmes as long as the pre-election campaign lasts.

12. Broadcasters of specialised programmes must not deal with elections either directly or indirectly. The prohibition shall not refer to the advertising part of the programme and broadcasting paid clips, except in children's specialised programmes and religious broadcasts where any form of political propaganda and advertising is prohibited.

13. Radio and television stations shall record the programme relating to elections and keep the recordings for at least 45 days from the broadcasting day.

14. All radio and television stations may broadcast pre-election clips under equal commercial and technical conditions for each candidate, without discrimination and exclusively based on the payment into the current account. No monopoly of any one list of candidates over the paid broadcast time of any one broadcaster shall be allowed..

No previously created claims of radio and television stations against representatives of the lists of candidates may be the reason for refusing to broadcast pre-election clips.

15. Only the advertisements and clips of the Republic Electoral Commission and the Republic Broadcasting Agency may be broadcast free of charge, in accordance with broadcasters' programme capacity.

16. A broadcaster, in accordance with Article 38 of the Public Information Law and Article 21 of the Broadcasting Law, shall refuse to broadcast promotional messages or broadcasts if it assesses that they induce discrimination, hatred, violence or insult the honour, reputation and privacy of citizens or other participants in the campaign.

17. A broadcaster shall broadcast the response to or correction of information relating to the pre-election campaign on the following day, but not later than before the end of the pre-election campaign, in accordance with Articles 47-49 of the Public Information Law.

18. Election propaganda via radio and television stations shall be prohibited for the period of 48 hours before the election day and on the election day until the closing of polling stations.

II. INSTRUCTIONS RELATING TO THE ORGANISATIONS HAVING THE STATUS OF PUBLIC BROADCASTING SERVICE: THE BROADCASTING INSTITUTION OF SERBIA, THE BROADCASTING INSTITUTION OF VOJVODINA, RADIO- TELEVISION STATIONS OF LOCAL AND REGIONAL COMMUNITIES (MUNICIPAL AND CITY STATIONS) AND CIVIL SECTOR RADIO AND/OR TELEVISION STATIONS

1. The Broadcasting Institution of Serbia – RTS, the Broadcasting Institution of Vojvodina - RTV and radio and television stations of local and regional communities the founders of which are cities and municipalities, as well as civil sector stations shall observe, during the election campaign for the local and parliamentary elections the provisions of Article 68 paragraph 1 item 6a, Article 78 paragraph 1 item 6, Article 95 and Article 96 paragraph 8 of the Broadcasting Law and provide free-of-charge and balanced, non-discriminatory broadcast of promotion of political parties, coalitions and candidates that have accepted election lists for the parliamentary elections.

2. The Broadcasting Institution of Vojvodina - RTV shall have special obligations relating to adequate representation of the candidates of national minorities.

3. The Broadcasting Institution of Serbia – RTS, the Broadcasting Institution of Vojvodina - RTV and radio and television stations of local and regional communities the founders of which are cities and municipalities, as well as civil sector stations, may not broadcast paid pre-election promotion but may broadcast propaganda clips. In accordance with their bylaws, these stations may refuse to broadcast programmes and promotional clips, if these are not in the service of the pre-election campaign.

III. INSTRUCTIONS TO COMMERCIAL RADIO AND TELEVISION STATIONS

1. If they decide to report in their programmes about the process of pre-election campaign for the local and parliamentary elections, commercial radio and television stations should report based on their editorial policy and programme interest of their listeners and viewers, as well as based on the interest of the general public.

Commercial radio and television stations shall be entitled to determine the manner and volume of the programme they will dedicate to the pre-election campaign..

2. If commercial radio and television stations decide to dedicate part of their programme free of charge to the pre-election presentation, then such periods must be allotted in a balanced manner to all the lists equally, without discrimination.

3. During the election campaign, commercial radio and television stations may broadcast paid pre-election advertisements, reports and clips of the parties under equal programme, technical and financial conditions, without discrimination against any election list.

IV. SPECIFIC PROVISIONS

The Republic Broadcasting Agency shall be competent to apply the provisions of the Broadcasting Law and to receive submissions of broadcasters, participants in the pre-election campaign and citizens as well as to organise programme monitoring directly, or via authorised agencies or representatives for specific places or regions, as well as to pronounce measures provided by the Law

These General Binding Instructions shall apply as of the day of its publication.

The Agency shall receive the written and signed submissions of the parties submitting the election lists, broadcasters and citizens at the following address:

Vase Čarapića brojevi 2-4, 11000 Belgrade, or by fax: 011 20-28-700.

In Belgrade,
02 April 2008

Republic Broadcasting Agency
President of the Council
Dr. Nenad Cekic